

KIM R. WALMSLEY
Chief U.S. Probation Officer
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The District Court of Guam
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THE DISTRICT COURT OF GUAM

UNITED STATES OF AMERICA,)	CRIMINAL CASE NO.: 20-00021-001
)	
Plaintiff,)	
)	DECLARATION IN SUPPORT
vs.)	OF PETITION
)	
RICKY JAMES JR. SALAS SANTOS,)	
)	
Defendant.)	
_____)	

I, U.S. Probation Officer Trina P. Duenas, am assigned to supervise the Court ordered conditions of pretrial release for Ricky James Jr. Salas Santos, and in this capacity, I declare as follows:

On August 27, 2020, a Complaint was filed under case number MJ20-00092, which charged the defendant, Ricky James Jr. Salas Santos, with Attempted Possession of Methamphetamine with Intent to Distribute, in violation of 21 U.S.C. §§ 841(a)(1) & (b)(1)(A)(viii). On the same date, he was brought before the court for an Initial Appearance on a Complaint. He was detained and hearings were set for a Preliminary Examination and a Detention Hearing.

On September 9, 2020, an Indictment was filed in which the Grand Jury charged the defendant with Attempted Possession with Intent to Distribute Methamphetamine Hydrochloride, in violation of 21 U.S.C. §§ 846 & 841(a)(1) & (b)(1)(A)(viii); and Possession with Intent to Distribute Methamphetamine Hydrochloride in violation of 21 U.S.C. §§ 841(a)(1) & (b)(1)(A)(viii); along with a Notice of Forfeiture.

On September 10, 2020, Mr. Santos was brought before the Court for an Initial Appearance on an Indictment and Arraignment. He entered a plea of not guilty and his detention was continued.

On October 29, 2020, Mr. Santos appeared in court for a Detention Hearing. Magistrate Judge Michael J. Bordallo released the defendant and imposed pretrial supervision with conditions.

On December 1, 2020, a Petition for Action on Conditions of Pretrial Release was filed after Mr. Santos failed to report for drug testing and failed to provide a valid sample for testing. On December 8, 2020, an Initial Appearance on the Petition was held. The defendant's release was continued and a hearing was scheduled for December 17, 2020. On December 15, 2020, a Supplemental Declaration was filed after the defendant tested positive for methamphetamine. On December 17, 2020, the defendant appeared in court and admitted to the violations. His conditions were modified and his release was continued. A Jury Trial is currently scheduled for February 17, 2021.

The defendant is alleged to have committed the following in violation of 18 U.S.C. § 3142:

Special Condition: *Submit to testing for a prohibited substance if required by the pretrial services office or supervising officer. Testing may be used with random frequency and may include urine testing, the wearing of a sweat patch, a remote alcohol testing system, and/or any form of prohibited substance screening or testing. The defendant must not obstruct, attempt to obstruct, or tamper with the efficiency and accuracy of prohibited substance screening or testing.*

Special Condition: *Not use or unlawfully possess a narcotic drug or other controlled substances defined in 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner.*

On December 18, 2020, Mr. Santos was scheduled for a drug test. He failed to report for testing. This Officer contacted him and instructed him to report for testing the following day. The defendant's Third-Party Custodians (TPCs) were also informed of the missed drug test.

On December 19, 2020, Mr. Santos reported for drug testing. He submitted a sample which tested presumptive positive for methamphetamine. He admitted in writing to the use of methamphetamine on December 15, 2020. The defendant's TPCs were informed of the positive drug test.

Supervision Compliance: A criminal records check was conducted and found no new arrests or pending criminal action. Mr. Santos had a landline installed and has been placed on location monitoring. He also has a scheduled appointment for a substance abuse assessment on December 22, 2020.

Recommendation: This Probation Officer respectfully requests the Court issue a Summons for Ricky James Jr. Salas Santos to appear at a hearing to determine if his bail should be revoked or modified, pursuant to 18 U.S.C. § 3148.

I declare, under penalty of perjury, that the foregoing is true and correct, except those matters stated upon information and belief, and as to those matters, I believe them to be true.

Executed this 21st day of December 2020, at Hagatna, Guam, in conformance with the provisions of 28 U.S.C. § 1746.

Respectfully submitted,

KIM R. WALMSLEY
Chief U.S. Probation Officer

By:



/s/ TRINA P. DUENAS
U.S. Probation Officer

Reviewed by:



/s/ GRACE D. Flores
Deputy Chief U.S. Probation Officer